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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/026,281	12/18/2001	Barry S. Bosik	2000-0674A	8088

7590 10/20/2004

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EXAMINER

ANWAH, OLISA

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 10/20/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

10/026,281

**Applicant(s)**

BOSIK ET AL.

**Examiner**

Olisa Anwah

**Art Unit**

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-15 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-15 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_.
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_.
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_.

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**DETAILED ACTION**

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

2. Claims 1-15 are rejected under 35 U.S.C. § 102(e) as being anticipated by Dolan et al, U.S. Patent Application Publication No. 2003/0142807 (hereinafter Dolan).

Regarding claim 1, Dolan discloses a call management system (see Figure 1) that manages an incoming call of a subscriber (22) having an on-line data network (26) capability, said system comprising:

a memory (29) that stores subscriber preferences to provide a basis to manage incoming calls (paragraph 0038);

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a network presence server that accesses the network to ascertain an online status of the subscriber (paragraph 0041);

a call waiting server that indicates an incoming call to the subscriber when logged on the network (see Figure 2);

a call transfer server that forwards an incoming call according to a forwarding number (see Figure 2);

a voicemail server that prompts a calling party to leave a message (see paragraph 0029);

a controller responsive to the online status of the subscriber to effect handling of the incoming call by at least one of the call waiting server, call transfer server, and voicemail server according to preferences stored in the memory (see Figure 13 and paragraph 0041).

Regarding claim 2, see Figure 2.

Regarding claim 3, see Figure 1.

Regarding claim 4, see Figure 13.

Regarding claim 5, see paragraphs 0038-0041.

Regarding claim 6, see Figure 2.

Regarding claim 7, see Figure 13.

Regarding claim 8, see paragraph 0041.

Regarding claim 9, see Figure 2.

Regarding claim 10, see Figure 11.

Regarding claim 11, see Figure 11.

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Regarding claim 12, Dolan discloses a call management system (see Figure 1) that handles an incoming call of a subscriber having an on-line Internet capability, said system comprising:

- a database that stores subscriber preferences that provides directives for handling the incoming call (see Figure 13);

- a network presence server that accesses the Internet to ascertain an online status of the subscriber (paragraph 0041);

- a call waiting server, responsive to at least one of a subscriber preference and said network presence server, to activate an options selection menu at a terminal of the subscriber in response to an incoming call when the subscriber is online (see Figure 2);

- a call transfer server, responsive to at least one of a subscriber preference and said network presence server, to forward an incoming call to a forwarding number (see Figure 4);

- and a voicemail server, responsive to at least one of a subscriber preference and said network presence server, to prompt a calling party to leave a message (see paragraph 0029).

Regarding claim 13, see Figure 2.

Regarding claim 14, see Figure 2.

Regarding claim 15, see paragraphs 0038-0041.

**Conclusion**

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

0-A  
Olisa Anwah  
Patent Examiner  
September 24, 2004

FAN TSANG  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2600

